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AUG 02 2007

OFFICE OF PETITIONS

In re Application of
Minoru Horii
Application No. 09/517,149
Filed: March 2, 2000
Attorney Docket No. 21778.04000

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ON PETITION

CORRECTED DECISION

This is a decision on the petition to revive under 37 CFR 1.137(b), filed March 23, 2007, which is being treated as a petition under 37 CFR 1.181 to withdraw the holding of abandonment of the above-identified application.

The petition under 37 CFR 1.181 is **GRANTED**.

The above-identified application was held abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed December 8, 2005, which set a shortened statutory period for reply of three (3) months. Petitioner indicates that the reply was timely filed in the form of a Request for Continued Examination (RCE) with one (1) month extension of time filed April 13, 2006 (certificate of mailing April 10, 2006).


Since the reply was in fact timely filed on April 13, 2006, the \$1500 petition fee is being credit to petitioner's deposit account. Therefore, the holding of abandonment is being withdrawn.

The person signing the instant petition requested a change of correspondence address on March 30, 2006 to the address given in the instant petition. There is, however, no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. If the person signing the instant petition desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed to the address currently of record until such time as appropriate instructions are received to the contrary.

The decision mailed July 27, 2007 is hereby vacated as of the mail date of this decision.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

This matters is being referred to Technology Center AU 2625 for further processing.


Irvin Dingle
Petitions Examiner
Office of Petitions

cc: Doyle B. Johnson
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